

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**IN RE:**

**DAVID JOHN  
JESSIE M. THOMAS  
DEBTOR(S)**

§  
§  
§  
§

**CASE NO. 16-42260**

**CHAPTER 13**

**OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN**

**TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:**

Comes now Fifth Third Bank (hereinafter "Fifth"), a secured creditor in the above-entitled and numbered case, filing this Objection to Confirmation of Chapter 13 Plan, and in support hereof represents:

1. The above-styled Debtor(s) filed a voluntary petition under Chapter 13 of Title 11, United States Bankruptcy Code, on December 8, 2016.
2. Debtor(s) is indebted to Fifth pursuant to a Retail Installment Contract and Security Agreement (the "Agreement") that is secured by a properly perfected security interest in Motor Vehicle Lien described as a 2012 NISSAN QUEST-V6, VIN: JN8AE2KP6C9034993 (the "Collateral").
3. Fifth filed its proof of claim in the amount of \$6,213.07 (the "Claim").
4. Debtor(s) Chapter 13 Plan (the "Plan") does not provide for the claim.
5. Fifth objects to confirmation of the Plan because:
  - a. it does not provide for the claim.

WHEREFORE, PREMISES CONSIDERED, Fifth prays that this Court deny confirmation of the Plan and grant it such other and further relief at law and in equity as is just.

Respectfully submitted,  
Buckley Madole, P.C.

/s/ LynAlise K. Tannery  
Michael J. Burns / TBN 24054447  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served upon the following parties in interest either via pre-paid regular U.S. Mail or via electronic notification on or before the 23 day of December 2016:

Debtor's Attorney  
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Debtor  
Jessie M. Thomas  
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U.S. Trustee  
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Tyler, Texas 75702

Chapter 13 Trustee  
Carey D. Ebert  
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Wylie ISD  
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16-42260

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